



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

October 3, 2008

Amy and Emmanuel Scarmon
149 Green Court
Elk Point, SD 57025

Re: Request to extend comment period for the Hyperion Energy Project PSD permit

Dear Mr. and Mrs. Scarmon:

As per your request, the South Dakota Department of Environment and Natural Resources hereby grants your request to extend the public comment period on the draft Prevention of Significant Deterioration air quality pre-construction permit for the Hyperion Energy Center. The comment period for the draft permit will be extended until November 14, 2008. Since we have had similar requests from others, this extension applies to all parties and the public. For details on the extension, please review the enclosed public notice.

You requested that the extension occur 30-days after we provide you with the anticipated yearly emission totals. Please find enclosed a copy of a page from Hyperion's revised permit application that lists the annual emissions. This document can be found on our website at <http://www.state.sd.us/DENR/Hyperion/Air/200805155RevisionsToApplicationText.pdf>. The draft permit establishes the Best Available Controls Technology and the associated emission limits (e.g. pounds per hour) for each air pollutant that the Hyperion Energy Center must meet. The emission limits are inputted in a model that demonstrated the area will be able to attain the federal National Ambient Air Quality Standards and Prevention of Significant Deterioration increments established by the federal Environmental Protection Agency after the Hyperion Energy Center is operating. The actual emissions from Hyperion are required to be less than these emission limits and therefore the annual emissions will be less than those listed in the enclosure. Thank you for responding to our public notice and providing your comments thus far on the draft permit.

Sincerely,

Steven M. Pirner
Secretary

Enclosures:

cc: Preston V. Phillips, Hyperion (w/o enclosure)
Roxanne Giedd, Deputy Attorney General (w/o enclosure)
Carol Rushin, Acting Regional Administrator, EPA Region 8 (w/o enclosure)